

REMARKS

Applicant notes with appreciation that, in the Final Office Action of March 28, 2008, claims 16 and 17 were allowed and claims 6, 7 and 11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 1-5, 9, 10, 12, 13 and 15 were rejected under U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 7,142,699 B2 (hereinafter “Reisman et al.”). In addition, claims 8 and 14 were rejected under U.S.C. §103(a) as allegedly being unpatentable over Reisman et al. or Reisman et al. in view of U.S. Patent No. 5,926,555 (hereinafter “Ort et al.”). Furthermore, claim 1 was rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of co-pending Application No. 10/541,910 (U.S. Patent Application Publication No. 2006/0072794 A1).

In response, Applicant has amended the independent claim 1 to more clearly distinguish the claimed invention from the cited reference of Reisman et al. Claims 2-4 have also been amended to maintain proper claim dependency. As amended, the independent claim 1 is not obvious over the cited reference of Reisman et al., as explained below.

With respect to the “provisional” obviousness-type double patenting rejection of claim 1, Applicant notes herein that this rejection will be addressed at a later time, assuming that this rejection is still applicable.

In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1-15 be allowed in addition to the allowed claims 16 and 17.

I. Patentability of Amended Independent Claim 1

As amended, the independent claim 1 recites in part “*areas of an image are determined that are each distinguished by a preset approximate direction of the structures using a first set of Gabor filters*” and “*the areas of the image that are*”

determined are each filtered exclusively with a single Gabor filter adapted to the given direction, wherein the single Gabor filter is selected from a second set of Gabor filters,” which are not disclosed in the cited reference of Reisman et al. Thus,

Applicant respectfully asserts that the amended independent claim 1 is not obvious
5 over the cited reference of Reisman et al., and requests that the independent claim 1 be allowed.

The cited reference of Reisman et al. discloses a method for matching fingerprint images. The cited reference of Reisman et al. discloses first applying a
10 bank of Gabor filters to a normalized image J to produce an enhanced fingerprint image H, as described in column 6, lines 6-8, and then filtering the enhanced image H using eight Gabor filters, as described in column 6, lines 40-41. However, the bank of Gabor filters applied to the normalized image J is not used to determine areas of the image “*that are each distinguished by a preset approximate direction of the*
15 *structures,”* as recited in the amended independent claim 1. In addition, the eight Gabor filters are not used to filter each of these determined areas “*exclusively with a single Gabor filter adapted to the given direction, wherein the single Gabor filter is selected from a second set of Gabor filters,”* as recited in the amended independent claim 1. The Advisory Action of August 7, 2008 asserts that this latter limitation is
20 disclosed in Reisman et al. between column 7, line 29, and column 8, line 10, and between column 10, line 59, and column 11, line 26. However, Applicant fails to see such limitation in the cited passages of Reisman et al. Applicant respectfully requests the Examiner to point to specific lines of Reisman et al. that discloses such limitation, if possible.

25 Since the cited reference of Reisman et al. does not disclose each limitation of the amended independent claim 1, Applicants respectfully assert that the amended independent claim 1 is not obvious over the cited reference Reisman et al. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

30 II. Patentability of Dependent Claims 2-15

Each of the dependent claims 2-15 depends on the amended independent claim 1. As such, these dependent claims include all the limitations of the amended

independent claim 1. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as the amended independent claim 1.

Applicant respectfully requests reconsideration of the claims in view of the
5 remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,
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